

REMARKS

Claims 1-18 were cancelled. Claims 19-51 were pending in the application. In a telephonic restriction requirement on December 13, 2005, the applicant made a provisional election to Group III, claims 30-42. Accordingly, claims 19-29 and 43-51 are cancelled. Claims 30-42 are currently rejected.

Claims 30, 32, 33, and 36 are amended. New claims 52-65 are added. The applicant believes the scope of newly added claims 52-65 falls within provisionally elected Group III.

Claims 11-12 were rejected under 35 U.S.C. § 112, second paragraph for failing to provide antecedent basis. Claims 11-12 are cancelled, making this rejection moot.

**Claims 30-35 Rejected Under 35 U.S.C. § 102(b) Over Kaneko (US 6,389,271).**

Claims 30, 32, and 33 are amended to more clearly describe the invention. The examiner has not shown Kaneko to disclose "said controller operates a predetermined one of said active frequency detection module or said passive frequency detection module to determine the frequency to which said broadcast receiver is tuned," as recited by Claim 30. In particular, since Kaneko's microcomputer 20 is operable to select the frequency to which the tuner 12 is tuned, there is no reason for Kaneko to use an active frequency detection module or a passive frequency detection module to "determine the frequency to which said broadcast receiver is tuned."

The examiner has also not shown Kaneko to disclose "if no frequency is detected, said controller operates the other of said frequency detection modules to determine the frequency to which said broadcast receiver is tuned," also recited by Claim 30.

Accordingly, the examiner has not shown Kaneko to disclose all the limitations of Claim 30.

The cited location in Kaneko (C:4,L:1-34) apparently does not refer to determining a frequency but rather whether a desired "service ID" is present on a selected frequency.

The applicant also believes the examiner may have read Claim 30 as including a single frequency detection module that was in either an active or passive state. Rather, as described in the specification at respective paragraphs 53+ and 71+ and corresponding figures, Claim 30 includes limitations related to two modules, one of which is referred to as an active frequency detection module and the other of which is referred to as a passive frequency detection module. While the modules may include overlapping components, the adjectives active and passive are part of the names of the respective modules rather than references to the states of the modules or the states of frequencies received, modified, or determined by the modules.

Claim 30 is allowable for at least the reasons given above. Claims 31-35 depend from Claim 30 and are therefore also allowable for at least the reasons given for Claim 30.

**Claims 36-38 and 40-42 Rejected Under 35 U.S.C. § 103(a) Over Young et al. (WO 91/11062) In View of Kaneko (US 6,389,271).**

For reasons similar to those given for Claim 30, Kaneko does not disclose "an active frequency detection module operably connected to said controller, wherein said active frequency detection module comprises a transmitter for transmitting a signal over a carrier frequency to the receiver; and, means for detecting whether the receiver output corresponds to said signal," as recited by claim 36. Young does not supply this missing limitation.

Similarly, the examiner has not shown Young and Kaneko, alone and in combination, to disclose "upon such activation of said controller, said controller operates a predetermined one of said active frequency detection module or said passive frequency detection module to determine the frequency to which said broadcast receiver is tuned," nor "if no frequency is determined, said controller operates the other of said frequency detection modules to determine the frequency to which said broadcast receiver is tuned," as recited by Claim 36.

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For these reasons, the examiner has not shown Young and Kaneko, alone or in combination, to disclose all the limitations of Claim 36. Claim 36 is therefore allowable over Young in view of Kaneko.

Claims 37-38 and 40-42 depend from Claim 36 and are therefore allowable for at least the reasons given for Claim 36.

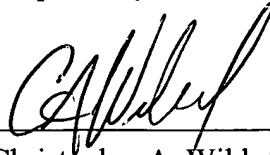
**Claim 39 Rejected Under 35 U.S.C. § 103(a) Over Young et al. (WO 91/11062 In View of Kaneko (US 6,389,271) and Further In View of Leveque (US 5,058,202).**

For reasons similar to those given above, Young and Kaneko, alone and in combination, do not disclose all the limitations of Claim 36. The examiner has not shown Leveque to disclose the missing limitations. Claim 39 depends from Claim 36 and is therefore allowable for at least the reasons given for Claim 36.

The applicant believes this amendment and remarks to be fully responsive to the Office Action dated January 5, 2006. It is respectfully submitted that the claims are now in condition for allowance. Applicant respectfully requests the Examiner to grant issuance with claims as now amended. The Examiner is invited to call Mr. Chris Wiklof at (425) 882-6641 with any issues that may advance prosecution of the application on the merits. Applicant submits that no new matter is being submitted.

The Commissioner is authorized to charge any fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 50-0284.

Respectfully submitted,



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Enclosures:

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Transmittal Form PTO/SB/21  
Petition for One-Month Extension of Time (+ copy)  
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